

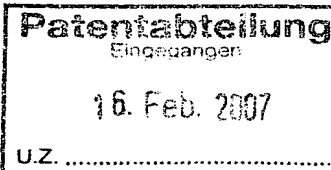
From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

ADAMS, Steffen  
ThyssenKrupp Automotive AG  
Recht und Patente  
Alleestrasse 165  
Postfach 10 14 11  
44714 Bochum  
ALLEMAGNE



Date of mailing (day/month/year) 08 February 2007 (08.02.2007)	
Applicant's or agent's file reference 04510P10WO	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/EP2005/001852	International filing date (day/month/year) 23 February 2005 (23.02.2005)
Applicant THYSSENKRUPP AUTOMOTIVE AG et al	

## 1. Transmittal of the translation to the applicant.

- ☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).
- ☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Agnes Wittmann-Regis
Facsimile No. +41 22 338 82 70	Facsimile No. +41 22 338 82 70

**TRANSLATION****PATENT COOPERATION TREATY****PCT****INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>04510P10WO</b>	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. <b>PCT/EP2005/001852</b>	International filing date (day/month/year) <b>23.02.2005</b>	Priority date (day/month/year) <b>22.03.2004</b>
International Patent Classification (IPC) or national classification and IPC <b>B60G17/02</b>		
Applicant <b>THYSSENKRUPP AUTOMOTIVE AG</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of _____ sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>2</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/001852

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This report is based on translations from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
    - ☐ international search (Rule 12.3 and 23.1(b))
    - ☐ publication of the international application (Rule 12.4)
    - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
  - ☐ the international application as originally filed/furnished
  - ☒ the description:
    - pages 1-9 \_\_\_\_\_ as originally filed/furnished
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - ☒ the claims:
    - nos. 2-9 \_\_\_\_\_ as originally filed/furnished
    - nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
    - nos.\* 1 \_\_\_\_\_ received by this Authority on 09.12.2005 with letter of 02.12.2005
    - nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - ☒ the drawings:
    - sheets 1/3-3/3 \_\_\_\_\_ as originally filed/furnished
    - sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
  - ☐ the description, pages \_\_\_\_\_
  - ☐ the claims, nos. \_\_\_\_\_
  - ☐ the drawings, sheets/figs \_\_\_\_\_
  - ☐ the sequence listing (specify): \_\_\_\_\_
  - ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
  - ☐ the description, pages \_\_\_\_\_
  - ☐ the claims, nos. \_\_\_\_\_
  - ☐ the drawings, sheets/figs \_\_\_\_\_
  - ☐ the sequence listing (specify): \_\_\_\_\_
  - ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/001852

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)

Claims 1-9

YES

Claims

NO

Inventive step (IS)

Claims 1-9

YES

Claims

NO

Industrial applicability (IA)

Claims 1-9

YES

Claims

NO

## 2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1: US 2004/036206 A1 (LOSER FRIEDRICH ET AL) 26 February 2004 (2004-02-26)

D2: DE 38 31 338 A1 (VOLKSWAGEN AG, 3180 WOLFSBURG, DE) 13 April 1989 (1989-04-13)

D3: EP-A-0 741 051 (TOYOTA JIDOSHA KABUSHIKI KAISHA) 6 November 1996 (1996-11-06)

D4: DE 102 55 764 B3 (THYSSENKRUPP AUTOMOTIVE AG) 26 February 2004 (2004-02-26)

D5: DE 934 332 C (DR.-ING. E. H. CARL F. W. BORGWARD) 20 October 1955 (1955-10-20)

D6: US-A-3 598 422 (GUNTER STRAUFF) 10 August 1971 (1971-08-10)

D7: EP-A-0 501 115 (AUGUST BILSTEIN GMBH & CO KG) 2 September 1992 (1992-09-02)

D8: DE 12 09 444 B (BOGE G.M.B.H) 20 January 1966 (1966-01-20)

Document D1 is considered to be the closest prior art to the subject matter of claim 1. It discloses (the references between parentheses relate to said document): a vehicle chassis having a spring support for supporting a body spring (1) which is tensioned between two spring

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/001852

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

collars (2, 3) and a vibration damper (4) which has a piston rod (6) and a damper tube (5), in which a region of the piston rod (6) and/or the damper tube (5) is arranged within the body spring (1), wherein at least one spring collar (2) can be displaced axially by means of a drive unit which comprises a drive (14, 15) and a gear mechanism (16).

The subject matter of claim 1 therefore differs from that of known D1 in that:

(a) at least one force accumulator is provided which acts between the vehicle body and the spring collar and bears the weight of the vehicle, in order to relieve the drive unit.

The problem addressed by the present invention can therefore be considered that of it being possible to dispense with the permanent introduction of energy into the adjusting drive of the spring collar, in particular also during the rest state of the vehicle chassis, with the result that the energy consumption is reduced.

The solution which is proposed for this problem in claim 1 of the present application involves an inventive step (PCT Article 33(3)). D2 shows a force accumulator having an adjusting drive which is arranged in parallel with it. The adjusting drive from D2 which acts hydraulically on the shock absorber differs from the adjusting drive of D1 in such a way that a person skilled in the art would not combine said two documents in order to arrive at the subject matter of the claim.

Claims 2-9 are dependent on claim 1 and therefore

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/001852

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

likewise meet the PCT requirements for novelty and  
inventive step.